

IC 12-15-27

Chapter 27. Confidentiality and Release of Information

IC 12-15-27-1

Medicaid applicants and recipients; confidential records and documents

Sec. 1. The following concerning a Medicaid applicant or recipient under the Medicaid program are confidential, except as otherwise provided in this chapter:

- (1) An application.
- (2) An investigation report.
- (3) An information.
- (4) A record.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-2

Authorized use and disclosure of confidential information

Sec. 2. The use and the disclosure of the information described in this chapter to persons authorized by law in connection with the official duties relating to:

- (1) financial audits;
- (2) legislative investigations; or
- (3) other purposes directly connected with the administration of the plan;

is permitted.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-3

Release and use of general information

Sec. 3. (a) The release and use of information of a general nature shall be provided as needed for adequate interpretation or development of the Medicaid program.

(b) The information under subsection (a) includes the following:

- (1) Total Medicaid expenditures.
- (2) The number of recipients.
- (3) Statistical and social data used in connection with studies.
- (4) Reports or surveys on health and welfare problems.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-4

Report of recipients' names, identification numbers, and monthly amount of medical assistance received; public record; requests to examine

Sec. 4. (a) The office shall keep a file that contains a report showing the name and identification number of each recipient and the amount of medical assistance received each month under the Medicaid program.

(b) The report under subsection (a) is a public record open to public inspection at all times during the regular office hours of the office.

(c) A person who desires to examine a record, other than in pursuance of official duties as provided under Medicaid, must sign a written request to examine the record. The request must contain an agreement on the part of the signer that the signer will not utilize information gained from the information for religious, commercial, or political purposes.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-5

Eligibility for federal financial participation; limitations on chapter; rules

Sec. 5. (a) If it is established that this chapter causes the state Medicaid plan to be ineligible for federal financial participation, the provision is limited or restricted to the extent that is essential to make the plan eligible for federal financial participation.

(b) The secretary shall establish rules under IC 4-22-2 that are necessary to carry out this section.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-6

Eligibility information; immediate access systems

Sec. 6. The office shall make available the following for providing health care providers with immediate access to information indicating whether an individual is eligible for Medicaid:

- (1) A twenty-four (24) hour telephone system.
- (2) A computerized data retrieval system.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-7

Limitations on eligibility information available through immediate access systems

Sec. 7. Information released under section 6 of this chapter is limited to the following:

- (1) Disclosure of whether an individual has been determined to be eligible for Medicaid or whether the individual has an application pending.
- (2) The date the individual became eligible for Medicaid and the individual's Medicaid number.
- (3) Restrictions, if any, on the scope of services to be reimbursed under the Medicaid program for the individual.
- (4) Information concerning third party liability.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-8

Eligibility information obtained by health care providers; confidentiality

Sec. 8. Information obtained by a health care provider under this chapter concerning an individual's eligibility for Medicaid is confidential and may not be disclosed to any person.

As added by P.L.2-1992, SEC.9.

IC 12-15-27-8.5**Use and disclosure of voter registration records**

Sec. 8.5. A person may not examine, disclose, or use any record described in this chapter concerning voter registration except in the manner permitted under IC 12-15-1.5.

As added by P.L.12-1995, SEC.122.

IC 12-15-27-9**Eligibility information access and confidentiality; rules**

Sec. 9. The secretary shall adopt rules under IC 4-22-2 necessary to carry out sections 6, 7, and 8 of this chapter.

As added by P.L.2-1992, SEC.9.